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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/579,389

06/14/2006

Takafumi Suzuki

2006-0741A

6578

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7590

09/15/2009

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EXAMINER

LACLAIR, DARCY D

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

09/15/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Attachment to Advisory Action***

1. Applicants' amendment filed **9/8/2009** has not been entered given that it raises other new issues that would require further consideration and/or search.

With respect to other new issues, the independent Claims 1, 12, 17 and 25 have been amended to recite that X represents a number from 0.001 rather than 0.01, that the average secondary particle diameter is from 0.1 to 7  $\mu\text{m}$ , rather than the previously claimed 0.1 to 10  $\mu\text{m}$ , and cancelling the claims drawn to the elected species (e) an organic acid, in favor of silica based species. It is the examiner's position that this is a new issue since the limitations of the claim have changed, both by shifting to a new species not previously elected as well as by narrowing the particle diameter and changing the range for x. The diameter and x range are supported at p. 5 line 1 and p. 6 line 34 of the specification. Therefore, the amendment would require further consideration.

2. As the amendment is not being entered, those of applicant's arguments with regard to overcoming the prior art rejections based on the possibility of entry of amendment are rendered moot.

/Darcy LaClair/  
Patent Examiner

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Supervisory Patent Examiner, Art Unit 1796